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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARK ENNIS,

Plaintiff,

vs.

CITY OF DALY CITY; GARY S. MCLANE,
individually and in his official capacity as
Chief of Police of the City of Daly City; Officer
KRANZ, individually and in his official
capacity as police officer of the City of Daly
City; Officer ANDRADE individually and in
his official capacity as police officer of the City
of Daly City; Sergeant O'ROURKE,
individually and in his official capacity as
police officer of the City of Daly City, and
DOES 1 through 30,

Defendants.

No. C 09-05318 MHP

**PLAINTIFF'S NOTICE OF MOTION
AND MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT**

Date: June 28, 2010
Time: 2:00 P.M.
Crtrm: 15, 18th Floor

To: Defendants and their attorneys of record:

NOTICE IS HEREBY GIVEN that on June 28, 2010 at 2:00 P.M. or as soon thereafter as
the matter may be heard in Courtroom 15, 18th Floor, of the United States District Court located at
450 Golden Gate Avenue, San Francisco, California, plaintiff will move the court for an order

1 granting leave to file the proposed second amended complaint attached to the declaration of
2 counsel accompanying this motion.

3 This motion is made under Rule 15 of the Federal Rules of Civil Procedure.

4 This motion is based on this notice, the accompanying declaration of plaintiff's counsel,
5 plaintiff's memorandum of points and authorities and such evidence, oral and documentary, as
6 may be presented at the hearing.

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8 DATED: May 14, 2010

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11 /s/ David J. Beauvais
12 Attorney for Plaintiff
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